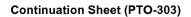
Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/564,230	JERG ET AL.	
Examiner	Art Unit	
BENJAMIN OSTERHOUT	1792	

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The MAILING DATE of this communication appe	ars on the cover sheet with the c	correspondence add	ress	
THE REPLY FILED 10 November 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.				
1. The reply was filed after a final rejection, but prior to or on application, applicant must timely file one of the following application in condition for allowance; (2) a Notice of Appelor Continued Examination (RCE) in compliance with 37 Coperiods:	replies: (1) an amendment, affidavi eal (with appeal fee) in compliance	t, or other evidence, w with 37 CFR 41.31; or	hich places the (3) a Request	
a) The period for reply expires <u>3</u> months from the mailing date	of the final rejection.			
b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire la Examiner Note: If box 1 is checked, check either box (a) or (MONTHS OF THE FINAL REJECTION. See MPEP 706.07(1)	dvisory Action, or (2) the date set forth in ater than SIX MONTHS from the mailing b). ONLY CHECK BOX (b) WHEN THE	g date of the final rejection	n.	
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of extunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL	on which the petition under 37 CFR 1.1 ension and the corresponding amount of hortened statutory period for reply origi	of the fee. The appropria nally set in the final Office	ate extension fee e action; or (2) as	
 The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exter Notice of Appeal has been filed, any reply must be filed with 	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of the		
AMENDMENTS				
 The proposed amendment(s) filed after a final rejection, k (a) They raise new issues that would require further cor (b) They raise the issue of new matter (see NOTE belown) (c) They are not deemed to place the application in betappeal; and/or 	nsideration and/or search (see NOT w);	E below);		
(d) ☐ They present additional claims without canceling a converse NOTE: (See 37 CFR 1.116 and 41.33(a)).	corresponding number of finally reje	ected claims.		
4. The amendments are not in compliance with 37 CFR 1.12 5. Applicant's reply has overcome the following rejection(s):		mpliant Amendment (I	PTOL-324).	
 Applicant's reply has oversome the following rejection(s). Newly proposed or amended claim(s) would be all non-allowable claim(s). 		imely filed amendmer	nt canceling the	
7. For purposes of appeal, the proposed amendment(s): a) [how the new or amended claims would be rejected is prov The status of the claim(s) is (or will be) as follows: Claim(s) allowed:		l be entered and an ex	xplanation of	
Claim(s) objected to: Claim(s) rejected: 10. 13-23. Claim(s) withdrawn from consideration:				
AFFIDAVIT OR OTHER EVIDENCE				
8. The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e).				
 The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to o showing a good and sufficient reasons why it is necessary 	vercome <u>all</u> rejections under appea	ll and/or appellant fails	s to provide a	
 The affidavit or other evidence is entered. An explanation <u>REQUEST FOR RECONSIDERATION/OTHER</u> 	n of the status of the claims after er	ntry is below or attach	ed.	
11. The request for reconsideration has been considered but See attached Advisory Action.	does NOT place the application in	condition for allowan	ce because:	
12. Note the attached Information <i>Disclosure Statement</i> (s). (13. Other:	PTO/SB/08) Paper No(s)			
/BLO/	/Joseph L. Perrin/			
Benjamin L. Osterhout 17 November 2009	Primary Examiner, Art U	nit 1792		



Application No.